

Rockville City Police Department

GENERAL ORDER



Subject LAW ENFORCEMENT OFFICERS' SAFETY ACT OF 2004		Procedure G.O. 3 - 8
Authorizing Signature	Effective 02-26-10 Revised 01-02-14	Total Pages 4

I. POLICY

The Law Enforcement Officers' Safety Act (LEOSA) of 2004, and subsequent amendments, authorizes the concealed carry of firearms by law enforcement officers, retired law enforcement officers, military police and civilian police officers employed by the U.S. Government throughout the United States. Retired officers must have qualified with the weapon-type they are carrying within the previous twelve months and be carrying photographic identification from the agency from which they have retired or an authorized state agency.

II. ACTIVE DUTY OFFICERS

- A. Rockville Police Officers may carry their authorized duty or off-duty weapon during interstate travel under LEOSA. LEOSA does not convey any out-of-state law enforcement authority upon Rockville Police officers.
- B. Rockville Police Officers may not carry under LEOSA if they are the subject of any disciplinary action preventing the officer from carrying a firearm by the agency. Thus, Rockville Police officers suspended from police duty or with suspended police authority may not carry under LEOSA.
- C. Rockville Police Officers will comply with LEOSA by successfully maintaining their Maryland Police Training Commission (MPTC) certification.
- D. Rockville Police Officers are still subjected to all applicable General Orders and Standard Operating Procedures regarding the carrying and use of authorized firearms.

III. PROGRAM MANAGEMENT

- A. The Firearms Program Coordinator is the designated manager of LEOSA for retired Rockville Police Officers and LEOSA-eligible civilian employees.
- B. The LEOSA qualification process will include a written affidavit from the retiree or civilian employee specifying that the retiree or civilian employee is eligible to carry under LEOSA.
- C. The Coordinator may direct that appropriate records checks be made to verify LEOSA eligibility. The Coordinator may also direct that a retiree or employee receive medical clearance before allowing that individual to complete training and qualification. In no case will an individual deemed medically or psychologically unfit to carry a weapon be allowed to qualify or authorized to

carry under LEOSA authority.

D. Appeals of the Coordinator's decision will be directed to the Chief of Police.

IV. RETIRED OFFICERS

A. Retired Rockville Police officers must meet certain LEOSA standards before being eligible for LEOSA carry authority:

1. The retiree must have separated from service in good standing for reasons other than mental instability.
 - a. The term "in good standing" means, at the time of retirement, the officer was not facing disciplinary action that could have resulted in his or her termination for misconduct or unfitness for office.
 - b. The term "mental instability" means that the officer either was medically separated for mental instability or, at the time of a years-of-service or disability retirement, the officer was facing removal for reasons of mental instability.
2. The retiree must have been regularly employed as a law enforcement officer for an aggregate of at least ten years or have been medically retired for a service-connected disability after having completed probation.
3. The retiree must successfully pass an annual background check indicating that he or she is not prohibited by Federal law from receiving or possessing a firearm.
4. The retiree must have met the State's standards for training and qualification within the previous twelve months.
5. The retiree is responsible for adhering to any future amendments as may be enacted under Federal law.

B. The Rockville Police Department will provide retired Rockville Police officers with the opportunity to qualify under LEOSA. Retired law enforcement officers from other agencies currently employed in a civilian capacity with the Rockville Police Department will also be given the opportunity to qualify.

C. Retired Rockville Police officers qualified under LEOSA will be provided with identification cards indicating their LEOSA qualification. This identification will provide the contact number of the Police Department so that LEOSA authority may be verified by law enforcement. LEOSA does not convey any law enforcement authority upon a retiree.

V. QUALIFICATIONS

- A. LEOSA certification/recertification will take place twice a year: once in June, and once in November.
- B. Retired officers will be notified of the qualification dates and times.
- C. Retired officers will be required to receive the mandatory two (2) hours of classroom instruction as mandated by MPCTC.
- D. Retired officers will be allowed to qualify on more than one concealable firearm, as time and scheduling permits. Retired officers:
 - 1. Will be responsible for purchasing and/or bringing at least 50 rounds of factory issued ammunition for each weapon qualification course (Note: If qualifications are scheduled at Gilbert's Indoor Range, the retired officer will be required to purchase ammunition from Gilberts).
 - 2. Must bring their own eye and hearing protection.
 - 3. Must have a safe and secure holster.
 - 4. All handguns and holsters must pass inspection by the Firearms Instructor.
- E. Retired officers will submit the RCPD LEOSA application.
- F. The minimum qualifying score is 80 percent.
- G. The Firearms Instructor who qualified a retired officer will be responsible for completing and signing a Maryland Police and Correctional Training Commissions Retired Police Officers Annual Firearms Training and Re-Qualification form. This completed form will be given to the Firearms Program Coordinator for review and mailing.
- H. The Firearms Program Coordinator or designee shall keep a database of qualified retired officers, qualification dates, qualification course of fire, qualification score, and the type and serial number of the firearm(s) used to qualify.
- I. Retired officers who fail to qualify will be given the option of basic remedial training and up to three attempts to qualify on future dates. Upon the final failure, the Firearms Program Coordinator will submit a memorandum to the Chief of Police outlining the failures.
- J. Qualifications are valid for one year and must be maintained annually to comply with LEOSA. It is the responsibility of the retired officer to make annual re-application for re-certification as outlined above.

VI. RESTRICTIONS

- A. LEOSA does not supersede the laws of any state that permits private parties from banning or

restricting the possession of concealed firearms on their premises. LEOSA does not supersede the laws of any state that prohibit the possession of a firearm on governmental property, installations, bases, buildings, or parks.

- B. LEOSA does not provide authority for a person to carry a concealed firearm while under the influence of alcohol or any other intoxicating or hallucinating substance.
- C. LEOSA does not allow any person to carry a concealed firearm if that person is prohibited by federal law from carrying a firearm.
- D. LEOSA does not authorize officers or retirees to carry machine guns, firearm silencers, or destructive devices as defined by federal law.
- E. LEOSA does not require retirees to qualify with specific weapons. LEOSA does require retirees to qualify with each weapon-type (pistol and revolver) that the retiree will carry under LEOSA authority.

VII. VERIFICATION OF LEOSA STATUS

- A. A list of all current and retired officers shall be kept in the Public Safety Communications Center. It is the responsibility of the Firearms Program Coordinator to promptly furnish a roster, whenever it is updated.
- B. If another agency calls to verify a person's identity and authorization, the on duty dispatcher will:
 - 1. Check the persons name in the LEOSA database;
 - 2. Verify if the person is LEOSA certified; and
 - 3. Verify the expiration date of the certification.